

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

**FILED**

MAY 27 2014

Clerk, U.S. District Court  
District Of Montana  
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER KYLE SHERROD,

Defendant.

Cause No. CR 13-58-BLG-SRW

ORDER re: DEFENDANT'S  
WITHDRAWAL OF NOTICE OF  
APPEAL

Judgment was entered in this matter on February 13, 2014. On April 21, 2014, the Court received notice from the Court of Appeals that Defendant Sherrod's notice of appeal, filed in this Court on March 14, 2014, was not timely filed but might be deemed timely under appropriate circumstances. *See* Order (Doc. 4) at 2, *United States v. Sherrod*, No. 14-30041 (9th Cir. Apr. 21, 2014).

On April 22, 2014, this Court gave Sherrod an opportunity to show either excusable neglect or good cause to extend his time to appeal for a period of thirty days beyond the date it would otherwise have expired, that is, to March 31, 2014. *See* Fed. R. App. P. 4(b)(4). Sherrod was advised that an extension of time would make his notice of appeal timely. Order (Doc. 46).

On May 13, 2014, Sherrod responded by filing a "Notice of Withdrawal of

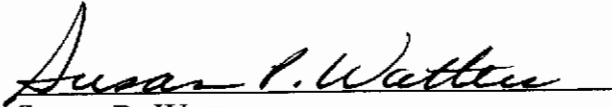


Intent to Appeal” (Doc. 49). As the document was unsigned and undated, he was asked to sign and resubmit it. He did so on May 23, 2014 (Doc. 50).

Accordingly, IT IS HEREBY ORDERED that Sherrod has not shown excusable neglect or good cause to extend his time to appeal under Fed. R. App. P. 4(b)(4).

The Clerk shall advise the Court of Appeals of the making of this Order.

DATED this 22 day of May, 2014.

  
Susan P. Watters  
United States District Court